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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BENJAMIN D. MORROW,  
  
Defendant.

Case No. 3:19-cr-00041-MMD-WGC-1

**STIPULATION TO CONTINUE  
MOTION DEADLINES**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Andolyn Johnson, Assistant United States Attorney, counsel for the United States of America, and Michael L. Becker, counsel for Defendant Benjamin D. Morrow, that the parties herein shall have to and including November 16, 2020, to file any and all pretrial motions and notices of defense.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including December 7, 2020, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including December 21, 2020, to file any and all replies to dispositive motions.

The Stipulation is entered into for the following reasons:

1           1.       At the request of defense counsel, the Government has graciously agreed to  
2 join this stipulation.

3           2.       Defense counsel was scheduled to spend three days in Reno with defendant at  
4 the Washoe County Jail this week and two days last week to review and shore up documents  
5 before filing, but those plans were stymied due to a COVID-19 outbreak at the jail which  
6 restricts in person visiting.

7           3.       The defendant is incarcerated and does not object to the continuance.

8           4.       The parties agree to the continuance, which will not impact our trial schedule.

9           This is the second stipulation by counsel to continue motions dates.

10          DATED this 29<sup>th</sup> day of October, 2020.

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13 NICHOLAS A. TRUTANICH  
14 United States Attorney

15 By//Andolyn R. Johnson  
16 ANDOLYN R. JOHNSON  
17 Assistant United States Attorney

By/s/ Michael L. Becker  
MICHAEL L. BECKER  
Counsel for Benjamin D. Morrow

**UNITED STATES DISTRICT COURT  
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**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to confer with counsel and complete motions prior to filing.
2. The defendant is incarcerated and does not object to the continuance.
3. The parties agree to the continuance.
4. The additional time requested will not delay the trial schedule.
5. Additionally, denial of this request for stipulation could result in a miscarriage of justice.

**CONCLUSIONS OF LAW**

The ends of justice are served by granting said stipulation, since the failure to grant said continuance could result in a miscarriage of justice by denying the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare motions taking into account the exercise of due diligence.

**ORDER**

IT IS THEREFORE ORDERED that the parties herein shall have to and including November 16, 2020 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including December 7, 2020 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including December 21, 2020 to file any and all replies.

DATED this 2nd day of November, 2020.



UNITED STATES DISTRICT JUDGE